

Hill, Betts & Nash LLP
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*Attorneys for Third-Party Defendants
Integrated Industries Corp.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HARTFORD FIRE INSURANCE COMPANY
a/s/o PDM International, LLC

07 CIV. 11607(DLC)

Plaintiff,

- against -

MEDITERRANEAN SHIPPING
COMPANY, S.A.,

Defendant.

-----X
MEDITERRANEAN SHIPPING
COMPANY, S.A.,

**ANSWER TO
THIRD PARTY
COMPLAINT**

Third-Party Plaintiff,

- against -

-

INTEGRATED INDUSTRIES CORP.,

Third-Party Defendant.

-----X

Third Party Defendant, Integrated Industries Corp., (herein after “Integrated”) by their attorneys Hill, Betts & Nash LLP, as and for their Answer to the Complaint herein, allege upon information and belief as follows:

1. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 1 of the Third Party Complaint.

2. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 2 of the Third Party Complaint.

3. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 3 of the Third Party Complaint.

4. Admit the allegations contained in paragraph 4 of Third Party Complaint.

5. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 5 of the Third Party Complaint.

6. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 6 of the Third Party Complaint.

7. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 7 of the Third Party Complaint.

8. Admit the allegations contained in paragraph 8 of the Third Party Complaint.

9. Deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 9 of the Third Party Complaint.

10. Admit the allegations contained in paragraph 10 of the Third Party Complaint.

11. Admit the allegations contained in paragraph 11 of the Third Party Complaint.

AS TO THE FIRST CAUSE OF ACTION

12. As and for their response to paragraph 12 of the Third Party Complaint, Defendants repeat and reallege each and every denial, admission and response to

paragraphs 1-11 of the Third Party Complaint with the same force and effect as if fully set forth and repeated at length herein.

13. Deny the allegations contained in paragraph 13 of the Third Party Complaint.

14. Deny the allegations contained in paragraph 14 of the Third Party Complaint.

15. Deny the allegations contained in paragraph 15 of the Third Party Complaint.

AS TO THE SECOND CAUSE OF ACTION

16. As and for their response to paragraph 16 of the Third Party Complaint, Defendants repeat and reallege each and every denial, admission and response to paragraphs 1-15 of the Third Party Complaint with the same force and effect as if fully set forth and repeated at length herein.

17. Deny the allegations contained in paragraph 17 of the Third Party Complaint.

FIRST AFFIRMATIVE DEFENSE

18. Third party Plaintiff's Complaint fails to state a cause of action upon which relief can be granted against the answering Third Party Defendant herein.

SECOND AFFIRMATIVE DEFENSE

19. Any loss or damage alleged in the Complaint, which is denied, was caused by or contributed to by the Third Party Plaintiff and/or other third-parties over whom Third Party Defendants had no control or responsibility.

THIRD AFFIRMATIVE DEFENSE

20. Plaintiff failed to take all reasonable measures to reduce, mitigate and/or minimize the damages alleged in the Complaint herein.

FOURTH AFFIRMATIVE DEFENSE

21. Third party Plaintiff was guilty of culpable conduct, including contributory negligence and/or assumption of the risk, and should an award be made to Plaintiff, same should be diminished in the proportion in which the culpable conduct and/or contributory negligence and/or assumption of the risk attributable to Plaintiff's bear to the culpable conduct and/or negligence which caused the damages

FIFTH AFFIRMATIVE DEFENSE

22. Some or all of the damages claimed by the Third Party Plaintiff may be the result of an accident, misuse, alteration or improper maintenance of the cargo which is the subject of this accident.

SIXTH AFFIRMATIVE DEFENSE

23. In the event that Third Party Defendants are found liable to the Third Party Plaintiff, Third Party Plaintiff's measure of damages is limited to the value of the cargo prior to the alleged incident and not the cost of replacement.

SEVENTH AFFIRMATIVE DEFENSE

24. Third Party Plaintiff recovery, if any, is limited to the terms of contract express limited warranty.

EIGHTH AFFIRMATIVE DEFENSE

25. Third party Plaintiff may not be the real party-in-interest with respect to some or all of the claims asserted in Plaintiff's Complaint, and Third Party Defendant objects to the non-joinder of all necessary parties.

NINTH AFFIRMATIVE DEFENSE

26. Plaintiff has misstated the law applicable to some or all of the claims asserted by them.

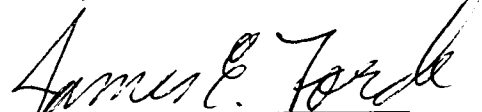
TENTH AFFIRMATIVE DEFENSE

27. Third Party Defendant denies all allegations not specifically admitted herein.

WHEREFORE, Third-Party Defendants demand judgment dismissing the Third Party Complaint together with costs and disbursements of this action and such other and further relief as to this Court deems just and proper.

Dated: New York, NY
March 19, 2008

HILL, BETTS & NASH LLP



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106 Third Street
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AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

SUZANNE SAPORITO, being duly sworn deposes and says, I am not a party to the action and over 18 years of age. That on the 18th day of March 2008, she served the attached ANSWER TO THIRD PARTY COMPLAINT upon:


Edward P. Flood, Esq.
Lyons & Flood, LLP
Attorneys for Defendant/Third Party Plaintiff
Mediterranean Shipping Company, S.A.
64 West 36th Street, 7th Floor
New York, New York 10018
(212) 594-2400

James Paul Krauzlis, Esq.
Badiak & Will, LLP
Attorneys for Plaintiff
106 Third Street
Mineola, NY 11501-4404

by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name.


SUZANNE SAPORITO

Sworn to before me this
18th day of March 2008


Notary Public

JANET M. WALTERS
NOTARY PUBLIC, State of New York
No. 01WA806884
Qualified in Kings County
Commission Expires 7-2-11